



**LOS ANGELES COUNTY CLERK
CEQA FILING COVER SHEET**

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Complete and attach this form to each CEQA Notice filed with the County Clerk

TYPE OR PRINT CLEARLY

Project Title

Check Document being Filed:

Environmental Impact Report (EIR)

Mitigated Negative Declaration (MND) or Negative Declaration (ND)

Notice of Exemption (NOE)

Other (Please fill in type):

Notice of Exemption

Appendix E

To: Office of Planning and Research
P.O. Box 3044, Room 113
Sacramento, CA 95812-3044
County Clerk
County of: Los Angeles Business Filings
12400 E. Imperial Hwy., #1201
Norwalk, CA 90650

From: (Public Agency): City of Hermosa Beach
1315 Valley Drive
Hermosa Beach, CA 90254
(Address)

Project Title: City of Hermosa Beach Municipal Pier Structural Repairs and Electrical Upgrades

Project Applicant: City of Hermosa Beach Public Works Department

Project Location - Specific:
1 Pier Avenue, Hermosa Beach, CA 90254 (Hermosa Beach Pier, west of Pier Plaza)

Project Location - City: Hermosa Beach Project Location - County: Los Angeles

Description of Nature, Purpose and Beneficiaries of Project:
Structural repairs of piles and electrical updates to conduit and light bollards to existing City of Hermosa Beach Municipal Pier. Please see attached memo for additional information.

Name of Public Agency Approving Project: City of Hermosa Beach

Name of Person or Agency Carrying Out Project: City of Hermosa Beach Public Works Department

- Exempt Status: (check one):
Ministerial (Sec. 21080(b)(1); 15268);
Declared Emergency (Sec. 21080(b)(3); 15269(a));
Emergency Project (Sec. 21080(b)(4); 15269(b)(c));
Categorical Exemption. State type and section number: 15301 and 15302
Statutory Exemptions. State code number:

Reasons why project is exempt:
Project scope includes necessary structural and electrical repairs to the existing Municipal Pier and involves no expansion of existing or former use. Please see attached memo for additional information.

Lead Agency
Contact Person: Michelle Licata Area Code/Telephone/Extension: 310-318-0228

If filed by applicant:
1. Attach certified document of exemption finding.
2. Has a Notice of Exemption been filed by the public agency approving the project? Yes No

Signature: Michelle Licata Date: 5-17-22 Title: Assistant Engineer

Signed by Lead Agency Signed by Applicant

Authority cited: Sections 21083 and 21110, Public Resources Code. Date Received for filing at OPR:
Reference: Sections 21108, 21152, and 21152.1, Public Resources Code.

May 17, 2022

To	Los Angeles County Registrar Recorder/County Clerk	Contact No.	310-318-0228
From	Michelle Licata, City of Hermosa Beach Public Works Department 1315 Valley Drive, Basement Level, Hermosa Beach, CA 90254	Email	mlicata@hermosabeach.gov
Project Name	City of Hermosa Beach Municipal Pier Structural Repairs and Electrical Upgrades		
Subject	California Environmental Quality Act (CEQA) Notice of Exemption (NOE)		

1. Introduction

A California Environmental Quality Act (CEQA) compliance review was performed for the City of Hermosa Beach Municipal Pier Structural Repairs and Electrical Upgrades Project (Project). This memorandum provides a brief description of the Project, summarizes the CEQA exemption that the Project qualifies for, and reports the findings of supporting documentation.

2. Project Background and Description

The Project involves necessary structural repairs and electrical upgrades to support continued use and function of the Hermosa Beach Pier (Pier) in the City of Hermosa Beach, CA. The Pier is located at 1 Pier Avenue, Hermosa Beach, CA, and is a public resource that provides public access for ocean viewing and recreational fishing. Modifications to repair the existing Pier structure are required to maintain safe public access and function of the Pier, and electrical upgrades are proposed to improve the existing lighting and power at the Pier. The Pier is subject to natural wear due to weather and wave action, and structural repairs to piles, pile caps (bents), and the deck are needed to maintain a safe and operational Pier for public use.

The new lighting plan for the Pier includes demolition of existing conduit and replacement of existing light fixtures with new bollards at each bent along the length of the Pier. The electrical upgrades will tie into the existing electrical infrastructure that connects the Pier to the City electrical grid. Project plans will also include a staging and access plan that will outline pier access during Project construction as well as staging and storing areas near the Project site.

Construction will not take place during summer months (Memorial Day through Labor Day) and the Project will only close portions of the Pier during construction to maintain public access. Construction is anticipated to begin in Fall 2022 and extend into the winter months. There will be no clearing of vegetation or destruction of habitat and no nighttime work proposed for this Project. The Project will address necessary repairs to the Pier structure and will improve the Pier's safety and function and well as the overall aesthetic for the public.

3. Review for CEQA Exemption

The Project was reviewed relative to the CEQA Guidelines to determine if it qualifies under a class of projects that has been determined not to have a significant effect on the environment and which may be exempted. The Project meets the criteria for a Class 1 and Class 2 Categorical Exemption, which are described below.

CEQA Guidelines Section 15301: Existing Facilities

The Class 1 Categorical Exemption includes the operation, repair, maintenance, permitting, leasing, licensing, or minor alternation of existing public or private structures, facilities, mechanical equipment, or topographical features, involving negligible, or no expansion of existing or former use. The types of "existing facilities" of the Class 1 exemption are outlined below:

(a) Interior or exterior alterations involving such things as interior partitions, plumbing, and electrical conveyances.

(b) Existing facilities of both investor and publicly-owned utilities used to provide electric power, natural gas, sewerage, or other public utility services.

(c) Existing highways and streets, sidewalks, gutters, bicycle and pedestrian trails, and similar facilities (this includes road grading for the purpose of public safety).

(d) Restoration or rehabilitation of deteriorated or damaged structures, facilities, or mechanical equipment to meet current standards of public health and safety, unless it is determined that the damage was substantial and resulted from an environmental hazard such as earthquake, landslide, or flood.

The proposed Project meets the criteria for the Class 1 exemption as the Project includes electrical upgrades, structural repairs, and reconstruction of portions of the existing Pier.

CEQA Guidelines Section 15302: Replacement or Reconstruction

The Class 2 Categorical Exemption includes the replacement or reconstruction of existing structures or facilities where the new structure will be located at the same site as the structure replaced and will have substantially the same purpose and capacity, as the structure replaced. Item (c) of the of the Class 2 exemption includes replacement or reconstruction of existing utility systems and/or facilities involving negligible or no expansion of capacity. The proposed Project improvements meet the criteria for the Class 2 exemption, as the Project would include the replacement and reconstruction of existing electrical systems that provide lighting to the existing Pier.

3.1 CEQA Guidelines Section 15300.2 Exceptions

Section 15300.2 of the CEQA Guidelines includes a list of circumstances in which a Categorical Exemption cannot be used. The list of circumstances in which a Categorical Exemption cannot be used include the following:

- a) Location. Classes 3, 4, 5, 6, and 11 are qualified by consideration of where a project is to be located – a project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. Therefore, Classes 3, 4, 5, 6, and 11 are considered to apply in all instances, except where a project may impact an environmental resource of hazardous or

critical concern where designated, precisely mapped, and officially adopted pursuant to law by federal, state, or local agencies.

- b) Cumulative Impact. All Classes of exemptions are inapplicable when the cumulative impact of successive projects of the same type in the same place over time is significant.
- c) Significant Effect. The CEQA Guidelines state that a Categorical Exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances.
- d) Scenic Highways. The CEQA Guidelines state that a Categorical Exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a state scenic highway.
- e) Hazardous Waste Sites. The CEQA Guidelines state that a Categorical Exemption shall not be used for a project located on a hazardous waste site which is included on any list compiled pursuant to Section 65962.5 of the Government Code.
- f) Historical Resources. The CEQA Guidelines state that a Categorical Exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource.

As part of this review for exemption, the Project was evaluated against each of the applicable exceptions, summarized below.

Exception 15300.2 (a) - Location

CEQA Guidelines Section 15300.2(a) specifies that certain classes of exemptions are qualified by consideration of where the project is to be located. A project that is ordinarily insignificant in its impact on the environment may in a particularly sensitive environment be significant. The 15300.2(a) exception is not applicable to Class 1 and Class 2 Categorical Exemptions and as such, this exception does not apply to the Project.

Exception 15300.2 (b) - Cumulative Impact

CEQA Guidelines Section 15300.2(b) specifies that a Categorical Exemption shall not be used when the cumulative impact of successive projects of the same type in the same place over time is significant. Cumulative impacts are defined as “two or more individual effects which, when considered together, are considerable or which compound or increase other environmental impacts” (CEQA Guidelines Section 15355).

A search was undertaken to identify reasonably foreseeable cumulative projects that may have overlapping or cumulative impacts with the Project. Efforts to identify cumulative projects included review of ongoing and planned projects at the Pier and within the City of Hermosa Beach, including City Capital Improvement Projects and development projects. Upon evaluation of the City’s current Capital Improvement and other City Projects, there are not any projects located within the Project area. The nearest Capital Improvement Project is the Annual Sewer Improvements Project (Phase I), which is located approximately 0.4 miles east of the Project area and has a construction completion timeframe of spring 2022. The proposed Project will not coincide with this nearby Project as all work will take place on and in the immediate vicinity of the existing Pier. No additional cumulative projects were identified on or in the vicinity of the Project. Based on the review, the Section 15300.2(b) exception does not apply to the Project.

Exception 15300.2 (c) - Significant Effect from Unusual Circumstances

CEQA Guidelines Section 15300.2(c) specifies that a Categorical Exemption shall not be used for an activity where there is a reasonable possibility that the activity will have a significant effect on the environment due to unusual circumstances. The Project is consistent with exempt classes of projects (Class 1 and Class 2) and does not include a feature that distinguishes it from others in the exempt classes, such as size or location. Construction and alteration/repairs are common features within the exempt class of projects. The size of the Pier will not increase, all structural repairs and electrical upgrades will take place within the existing footprint of the Pier structure. No new construction outside of the Pier footprint is proposed. The environment within the Project area is not unusually sensitive. The area is an existing wooden pier structure. The proposed Project is not anticipated to increase public capacity to the Pier. Small portions of the Pier will be temporarily closed off during fall and winter months to accommodate construction activities; however, public access to the Pier will be maintained during construction to allow continued public use (i.e., ocean viewing and fishing). No occurrences of special-status plant or wildlife species have been recorded on the Project site (CNDDDB 2022, USFWS 2022). The state and federally listed western snowy plover is known to winter on the beaches of the City, though a nest has not been recorded since 1949 and the closest breeding colony to Hermosa Beach is in Bolsa Chica in Orange County (City of Hermosa Beach, 2015).

There is no adopted Habitat Conservation Plan or Natural Community Conservation Plan for the Project area. The City of Hermosa Beach has a Local Coastal Plan, which mentions the regional importance of the Pier as a local recreation resource (City of Hermosa Beach, 1981). There is also a City plan titled City of Hermosa Beach PLAN Hermosa: Final Environmental Impact Report (SCH# 2015081009) for the City of Hermosa Beach; however, there are no specific measures or plan sections relating to the Pier/Pier resources. The Plan notes that the beaches are frequented by human traffic and no vegetated dune habitat exists in Hermosa Beach (City of Hermosa Beach, 2017). No unusual circumstances have been identified. Based on the review, the Section 15300.2(c) exception is not applicable to the Project.

Exception 15300.2 (d) - Scenic Highways

CEQA Guidelines Section 15300.2(d) specifies that a Categorical Exemption shall not be used for a project which may result in damage to scenic resources, including but not limited to, trees, historic buildings, rock outcroppings, or similar resources, within a highway officially designated as a State scenic highway. There are no officially designated State scenic highways in the Project area (Caltrans 2022). Therefore, the exception under Section 15300.2(d) is not applicable to the Project.

Exception 15300.2 (e) - Hazardous Waste Sites

CEQA Guidelines Section 15300.2(e) specifies that a Categorical Exemption shall not be used for a project located on a site which is included on a list compiled pursuant to Section 65962.5 of the Government Code. To determine if any portion of the Project would be located on such a list, online data resources were reviewed that provided information on facilities or sites pursuant to Section 65962.5, as well as relevant reports to any listed hazardous waste sites (CalEPA 2022). These include:

- Department of Toxic Substances Control EnviroStor database;
- List of Leaking Underground Storage Tank Sites from the Water Board GeoTracker database;
- List of solid waste disposal sites identified by the Water Board with waste constituents above hazardous waste levels;
- List of "active" Cease and Desist Orders and Cleanup and Abatement Orders from the Water Board; and

- List of hazardous waste facilities subject to corrective action pursuant to Section 25187.5 of the Health and Safety Code.

Based on the review of the above-mentioned lists, the Project is not included on a site that that is included on a list compiled pursuant to Section 65962.5 of the Government Code, and no adjacent sites were identified where contamination may have extended onto the Campus property. Based on the review, the Section 15300.2(e) exception does not apply to the Project.

Exception 15300.2 (f) - Historical Resource

CEQA Guidelines Section 15300.2(f) specifies that a Categorical Exemption shall not be used for a project which may cause a substantial adverse change in the significance of a historical resource. The CEQA Guidelines define a historical resource as: (1) a resource listed in the California Register of Historical Resources; (2) a resource included in a local register of historical resources, as defined in the California Public Resources Code (PRC) Section 5020.1(k), or identified as significant in a historical resource survey meeting the requirements of PRC Section 5024.1(g); or (3) any object, building, structure, site, area, place, record, or manuscript that a lead agency determines to be historically significant or significant in the architectural, engineering, scientific, economic, agricultural, educational, social, political, military, or cultural annals of California, provided the lead agency's determination is supported by substantial evidence in light of the whole record.

The Project is located entirely within the existing footprint of the Pier. The Project will require necessary structural repairs and electrical upgrades to the Pier to ensure safe access and function of this public structure and no new construction or addition to the existing Project area is proposed. According to the Los Angeles Conservancy, the Pier is not designated as a historic resource under the City's Historic Preservation Ordinance and the Pier is not a dedicated historic landmark according to the City of Hermosa Beach City Council. The State Office of Historic Preservation Built Environment Resources Directory, which includes listings of the California Register of Historical Resources, California State Historical Landmarks, California State Points of Historical Interest, and the National Register of Historic Places, lists no recorded buildings or structures within or adjacent to the Project area. In addition, the Project area is not listed on the City of Hermosa Beach Historic Resources List and is not included within a City of Hermosa Beach Historic District. Furthermore, the Project would not remove or materially alter any existing buildings at/near the Pier. Based on the review, the Section 15300.2(f) exception does not apply to the Project.

4. Conclusion

The Project qualifies for a combination of Class 1 and Class 2 Categorical Exemptions from CEQA under Sections 15301 and 15302 of the CEQA Guidelines. The environmental review and documentation reported above did not identify any significant effects that would occur from the Project, and the exceptions listed in Section 15300.2 of the CEQA Guidelines were found not to apply to the Project.

5. References

California Department of Transportation. 2022. California State Scenic Highway Map. <https://caltrans.maps.arcgis.com/apps/webappviewer/index.html?id=465dfd3d807c46cc8e8057116f1aa>
caa

California Environmental Protection Agency (CalEPA). 2022. Cortese List Data Resources. <https://calepa.ca.gov/sitecleanup/corteselist/>.

California Natural Diversity Database (CNDDDB). 2022. CNDDDB. California Department of Fish and Wildlife.

City of Hermosa Beach. 1981. City of Hermosa Beach Local Coastal Plan. Available at:
<https://www.hermosabeach.gov/home/showpublisheddocument/729/637001018228830000>

City of Hermosa Beach. 2015. Transpacific Submarine Fiber Optic Cable Draft EIR. SCH# 20155041004.

City of Hermosa Beach. 2017. City of Hermosa Beach PLAN Hermosa – Final Environmental Impact Report Volume II: Revised Draft EIR. SCH# 2015081009. Available at:
<https://www.hermosabeach.gov/home/showpublisheddocument/9869/637001018228830000>

U.S. Fish and Wildlife Service (FWS). 2022. Critical Habitat for Threatened and Endangered Species Map.
<https://fws.maps.arcgis.com/home/webmap/viewer.html?webmap=9d8de5e265ad4fe09893cf75b8dbfb77>

U.S. Fish and Wildlife Service (FWS). 2022. Information for Planning and Consultation